IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.3439 OF 2004
WITH
INCOME TAX APPEAL (L) NO.1453 OF 2004

The Commissioner of Income Tax .. Applicant.

Versus

M/s.Simplex Castings Ltd. .. Respondent.

Mr.Ashok Kotangale for the applicant.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 30TH JULY, 2007.

P.C. :

1. Learned counsel seeks leave to withdraw the notice of motion and appeal in view of the judgment of the Supreme Court reported in 290 I.T.R. 667 (S.C.).

2. The notice of motion as also the appeal is dismissed as withdrawn.

3. Refund of Court fee as per rules.

4. Certified copy expedited.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)